



Security Council

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S/AC.25/1991/13
16 January 1991
ENGLISH
ORIGINAL: FRENCH

SECURITY COUNCIL COMMITTEE ESTABLISHED
BY RESOLUTION 661 (1990) CONCERNING
THE SITUATION BETWEEN IRAQ AND KUWAIT

NOTE VERBALE DATED 14 JANUARY 1991 FROM THE PERMANENT REPRESENTATIVE
OF TUNISIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Representative of Tunisia to the United Nations presents his compliments to the Secretary-General and, with reference to his note SCPC/7/90 (3-1) of 2 November 1990, has the honour to transmit to him the reply of the Tunisian Government to the questionnaire concerning national measures to implement Security Council resolution 661 (1990).

Annex

Reply of Tunisia to the questionnaire concerning national measures
to implement Security Council resolution 661 (1990)

1. Legislative framework

Security Council resolution 661 (1990) was adopted in accordance with the Charter of the United Nations, the provisions of which, by virtue of its ratification under article 32 of the Tunisian Constitution, take priority over those of Tunisian legislation.

Accordingly, the Tunisian legislative system provides for the implementation of this resolution without any need for special legislation. Administrative measures are sufficient to ensure the effective application of resolution 661 (1990), and Tunisia did not hesitate to take the measures required in order to meet its obligations without having to adopt special legislation.

The embargo against South Africa and Israel never required the adoption of special legislation in Tunisia either.

The aforementioned administrative measures take the form of circulars, directives or instructions (cf. the copy of instructions from the Central Bank enclosed herewith by way of example).

2 and 3. Control of imports and exports and of activities calculated to promote imports and exports from or to Iraq or Kuwait

Tunisia applies a system of controls to trade with other countries.

Every import or export transaction is subject to administrative controls by the Ministry of Economy and Finance (customs, trade, etc.) and by the Central Bank of Tunisia.

This general control of import-export or exchange transactions is provided for under current legislation, including the customs code and regulations governing exchange and foreign trade.

For this purpose, the Customs Department issued an instruction dated 16 August 1990 suspending all transactions involving the importation or exportation of goods from or to Iraq and Kuwait. The Tunisian government agency which insures foreign trade (COTUNACE), in its turn, suspended coverage of transactions involving those two countries. Finally, the Central Bank of Tunisia gave instructions to its authorized agents to suspend the opening of letters of credit or any other financial arrangement for transactions with Iraq and Kuwait.

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4. Control of economic and financial resources

(a) As noted above, any exchange or foreign trade transaction is subject to control in accordance with current Tunisian legislation. Implementation of the embargo is provided for under current laws and regulations.

(b) Immediately the embargo was imposed, the Central Bank of Tunisia addressed instructions to all banks to suspend letters of credit to and from Iraq and Kuwait. The Central Bank also ordered that Iraqi and Kuwaiti assets should be frozen. The decision to freeze Kuwaiti assets was, however, taken only for the purposes of their protection, and repeated assurances to this effect have been given to the representatives of Kuwaiti interests in Tunisia. Accordingly, any request by the duly authorized representatives of the Government of Kuwait for such assets to be made available has been met.

5. Enforcement

The regulations governing exchange and foreign trade and the customs code provide for enforcement measures (fines, sequestration, confiscation, etc.) in respect of any contravention or attempt to contravene the administrative decisions taken in general or more particular connection with the implementation of Security Council resolution 661 (1990).

It should be noted that, since there has as yet been no breach of the embargo, the Tunisian authorities have not had to resort to such enforcement measures.

6. Other

(a) The full implementation of resolution 661 (1990) has not given rise to any real internal legislative problems. However, Tunisia has suffered real and substantial losses in economic, financial and social terms as a result of the implementation of resolution 661 (1990). These losses were described in a memorandum addressed to the Security Council, which received favourable consideration from the Committee established by the Security Council resolution concerned.

(b) Contracts concluded with Iraq and licences and permits granted in the context of trade between the two countries have been frozen as a result of the embargo and the obligation to comply therewith.

(c) In accordance with paragraph 9 (a) of Security Council resolution 661 (1990), the assets of the Government of Kuwait and its agents have enjoyed full protection, as noted above.

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Enclosure

CENTRAL BANK OF TUNISIA

THE GOVERNOR

Tunis, 17 September 1990

I have the honour hereby to confirm the previous instructions of the Central Bank of Tunisia concerning compliance with United Nations Security Council resolution 661, a copy of which is enclosed.

It should be recalled in particular that, under this resolution, all transactions involving the transfer of funds or the opening of letters of credit for Iraq and Kuwait are to be suspended.



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SECURITY COUNCIL COMMITTEE ESTABLISHED
BY RESOLUTION 661 (1990) CONCERNING
THE SITUATION BETWEEN IRAQ AND KUWAIT

NOTE VERBALE DATED 14 JANUARY 1991 FROM THE PERMANENT MISSION
OF BURKINA FASO TO THE UNITED NATIONS ADDRESSED TO THE
SECRETARY-GENERAL

The Permanent Mission of Burkina Faso to the United Nations presents its compliments to the Secretary-General and has the honour to transmit the reply of the Government of Burkina Faso to the questionnaire concerning the implementation of Security Council resolution 661 (1990).

Annex

Reply to the questionnaire concerning national measures to
implement Security Council resolution 661 (1990)

Owing to geographic and historical factors, trade and financial relations between Burkina Faso and Iraq are still very undeveloped. Accordingly, there is practically no danger of a breach of Security Council resolution 661 (1990) by the State or private citizens of Burkina Faso.

The authorities of our country therefore do not deem it necessary to take any special legislative or administrative measures to ensure the implementation of the resolution.

In the field of trade, the offices of the Ministry of Commerce and People's Supply, specifically the Department of Foreign Trade, exercises strict control over the import and export of goods. To date, no permit for the export or import of goods to or from Iraq or Kuwait has been issued and, in addition, no request to this effect has been made.

With regard to the control of financial or economic resources, new article 2 of Order No. 84-083/CNR/PRES of 26 December 1984, amending Order No. 67-36/PRES of 29 June 1967, which regulates in Burkina Faso financial relations with foreign countries, stipulates that "except in respect of gold, on the export of which the State of Burkina Faso exercises a monopoly, financial relations between Burkina Faso and foreign countries are free".

Nevertheless, in order to protect national interests, the Head of State may, through a decree enacted by the Council of Ministers, impose any restrictions on this freedom in accordance with the international commitments undertaken by Burkina Faso.

All financial operations with foreign countries [defined as all countries that are not members of the franc area, which comprises France, its territories and departments; the member countries of the West African Monetary Union (Benin, Burkina Faso, Côte d'Ivoire, Mali, Niger, Senegal and Togo); those of the Central African States Development Bank (Cameroon, Central African Republic, Chad, Comoros, the Congo, Equatorial Guinea and Gabon)] are subject to prior authorization by the Minister of Finance or, acting on his authority, the Central Bank of West African States. Since Iraq and Kuwait are non-member countries of the franc area, the transfers of financial or economic resources covered by resolution 661 (1990) falls within the purview of the above-mentioned provisions.

In respect of specific measures taken to prevent unauthorized movements of funds in contravention of Security Council resolution 661 (1990), it should be stressed that such measures have not been considered necessary since the aforementioned provisions are sufficient to prevent any such movement.

With regard to enforcement measures taken by Burkina Faso to prevent breaches of resolution 661 (1990) by individuals or companies, reference could be made to article 3 of Act AN-VI-0022/FP/PRES of 30 January 1989, which provides that: "Whoever contravenes or attempts to contravene the measures taken (in application of article 2 above) by failing to comply with the obligations concerning a declaration or repatriation, by not observing the procedures laid down or required formalities, by not obtaining the necessary permits or by not fulfilling the conditions accompanying such permits, shall be punished by the penalty of imprisonment for three (3) months to three (3) years and confiscation of the property seized together with a fine equivalent to at least half of or at most double the amount of the sum involved in the offence or attempted offence or only one of these two penalties ...".

These provisions apply to both individuals and bodies corporate.

Accordingly, our country has not encountered and is not encountering any particular difficulty in ensuring national implementation of Security Council resolution 661 (1990).



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SECURITY COUNCIL COMMITTEE ESTABLISHED
BY RESOLUTION 661 (1990) CONCERNING
THE SITUATION BETWEEN IRAQ AND KUWAIT

NOTE VERBALE DATED 16 JANUARY 1991 FROM THE PERMANENT REPRESENTATIVE
OF THE PHILIPPINES TO THE UNITED NATIONS ADDRESSED TO THE
SECRETARY-GENERAL

The Permanent Representative of the Philippines to the United Nations presents his compliments to the Secretary-General and with reference to the latter's Note No. SCPC/7/90(3-1) dated 2 November 1990 and the former's Note No. 333 dated 30 November 1990 (S/AC.25/1990/60), has the honour to enclose the updated reply of the Philippine Government to the questionnaire of the Security Council Committee established by resolution 661 (1990).

Annex

Measures taken by the Government of the Philippines in
application of Security Council resolution 661 (1990)

1. Legislative framework

(a) The measures taken within the framework of the implementation of Security Council resolution 661 (1990) are based on the Revised Tariff and Customs Code of the Philippines (Presidential Decree 1464 as amended by Executive Order No. 688).

(b) There is no need to enact any specific legislation to implement Security Council resolution 661 (1990).

(c) The Philippine Government has issued the following Administrative Orders:

- (i) Monetary Board Resolution No. 945 dated 7 September temporarily suspending remittance of payments due Iraqi and Kuwaiti creditors;
- (ii) Central Bank Circular No. 1266, listing entities controlled by the Government of Kuwait and/or the Government of Iraq and categorizing them as "controlled/blocked" (Residents of the Philippines are prohibited from engaging in transactions with these entities under this category and all assets under Philippine jurisdiction owned or controlled by these entities are blocked);
- (iii) Maritime Industry Authority Memorandum Circular No. 58, prohibiting trade by shipping companies and other concerned maritime entities between the Philippines and Iraq and Kuwait, and including prohibitions cited in Security Council resolutions 661 and 670 as among the post-approval conditions to be complied with on all applications for bareboat charters under Presidential Decree 760/866/1711; and
- (iv) Department of Trade and Industry Circular advising exporters not to transact business with Iraq and Kuwait.

2. Control of imports or activities which would promote or are calculated to promote imports or trans-shipment of goods from Iraq and Kuwait

(a) The authorities responsible are the Department of Trade and Industry, the Department of Transportation and Communications, the Central Bank and the Bureau of Customs under the Department of Finance.

(b) The specific provisions of the Administrative Orders listed under 1 (c) above effectively prevent breaches of Security Council resolution 661 (1990) by imports of items or activities covered by it.

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3. Control of exports or activities which would promote or are calculated to promote sales or supply of products and commodities to Iraq and Kuwait

(a) The answer is the same as that in 2 (a).

(b) The answer is the same as that in 2 (b).

4. Control of financial or economic resources

(a) All financial transactions, e.g. issuance of letters of credit and transfer of financial or economic resources, are subject to final approval by the Central Bank and the Monetary Board.

(b) Central Bank Circular No. 1266, which has been circulated to all banks and commercial institutions specifically prohibits financial transactions between Philippine residents and those entities controlled by the Government of Kuwait and/or the Government of Iraq categorized as "controlled/blocked".

5. Enforcement

The relevant Administrative Orders listed under 1 (c) provide for systems of fines, confiscation and terms of imprisonment.

6. Other

(a) The Philippines has not yet been confronted with ostensible violations of national policies/rules implementing Security Council resolution 661 (1990).

In scrupulously implementing the United Nations sanctions, however, the Philippines has encountered special economic difficulties. The Philippine Government has consulted with the Council on this matter, pursuant to Article 50 of the United Nations Charter (S/21712, S/22011).

(b) Claims on letters of credit for shipment of goods to Kuwait and Iraq immediately before the conflict are being handled by the Central Bank.

(c) Central Bank Circular No. 1266 also listed entities which are under the effective control of the legitimate Government of Kuwait and are categorized as "controlled/licensed to operate". Residents of the Philippines are authorized to engage in transactions with entities under this category. These authorized transactions include entering into contracts, making and receiving payments and conducting other commercial or financial transactions. If questions arise, Philippine financial and commercial institutions are instructed to request, from the entities concerned, copies of the operating licenses.



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SECURITY COUNCIL COMMITTEE ESTABLISHED
BY RESOLUTION 661 (1990) CONCERNING
THE SITUATION BETWEEN IRAQ AND KUWAIT

Letter dated 8 February 1991 from the Chargé d'affaires a.i. of the
Permanent Mission of Venezuela to the United Nations addressed to
the Secretary-General

I have the honour to transmit to you herewith, in connection with your note No. SCPC/7/90(3-2) of 20 December 1990 transmitting the questionnaire of the Security Council Committee established by resolution 661 (1990), the attached communication No. DGSPI/DAM of 16 January 1991 from the Director-General of the Ministry of Foreign Affairs of Venezuela (Deputy Minister) containing the reply to that questionnaire concerning measures taken by the Government of Venezuela to implement resolution 661 (1990).

(Signed) Guillermina DA SILVA-SUNIAGA
Chargé d'affaires a.i.

Letter dated 16 January 1991 from the Director-General of
the Ministry of Foreign Affairs of Venezuela addressed to
the Secretary-General

I have the honour to refer to your communication No. SCPC/7/90(3-2) of 20 December 1990 requesting a reply to the questionnaire of the Security Council Committee established by resolution 661 (1990) concerning the adoption of national measures to implement resolution 661.

I should like to inform you that there are no special legal provisions in Venezuela for implementing the resolutions of international organizations. As a result, no legislation has been enacted or orders, decrees or other administrative provisions of a general nature passed that serve as a legal basis for the implementation of Security Council resolution 661 (1990). Venezuelan public bodies must comply with the resolutions of international organizations and no special measure is required for that purpose.

It must also be pointed out that in Venezuela the control of imports is assigned to the Ministry of Finance and to police bodies, which are responsible for controlling any kind of imports, including those covered by resolution 661. The control of exports in general is assigned to the Foreign Trade Institute and the Ministry of Finance, and this includes exports and activities covered by resolution 661. There is no special system of control in Venezuela for preventing transfers of financial or economic resources covered by resolution 661 because, as indicated above, no special measure or order is required to implement the resolutions of international organizations.

Concerning the type of penalty (fine, seizure, forfeiture, etc.) to prevent breaches of Security Council resolution 661 (1990) by individuals or companies, the necessary administrative measures are being taken in Venezuela to prevent such breaches. Should a breach of those measures occur, the penalties provided for in Venezuela's legal system would apply. However, so far there have been no problems in implementing Security Council resolutions 661 (1990) fully.

Lastly, no special legislative or other measures have been taken in Venezuela to implement resolution 661 with regard to contracts entered into or licences granted before the date of the resolution, and no specific measures have been taken to protect the assets of the Government of Kuwait and its agencies in accordance with paragraph 9 (a) of Security Council resolution 661 (1990) because no such measures are required.

(Signed) Adolfo R. TAYLHARDAT
Ambassador
Director-General



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23 January 1991

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SECURITY COUNCIL COMMITTEE ESTABLISHED
BY RESOLUTION 661 (1990) CONCERNING
THE SITUATION BETWEEN IRAQ AND KUWAIT

NOTE VERBALE DATED 18 JANUARY 1991 FROM THE CHARGE D'AFFAIRES A.I.
OF THE PERMANENT MISSION OF BELIZE TO THE UNITED NATIONS ADDRESSED
TO THE SECRETARY-GENERAL

The Chargé d'affaires a.i. of the Permanent Mission of Belize to the United Nations presents his compliments to the Secretary-General, and with reference to the latter's note SCPC/7/90(3) dated 8 October 1990 has the honour to submit the response of the Government of Belize to the questionnaire relating to the implementation of Security Council resolution 661 (1990).

Annex

Implementation of resolution 661 (1990); a questionnaire
concerning national measures

Legislative framework

Belize, as a Member nation of the United Nations, fully supports and upholds Security Council resolution 661 (1990). Belize carries out no trade with either Iraq or Kuwait and no specific legislation has been enacted pursuant to resolution 661 (1990) in view of the fact that no trade exists between Belize and Iraq or Kuwait.

Control of imports/exports

The Ministry of Trade and Commerce, along with the Customs Department and the Ministry of Finance, are responsible for monitoring and controlling the flow of imports/exports to and from Belize.

These authorities are fully aware of Security Council resolution 661 (1990) and will therefore seek to prevent any breaches of this resolution should this become necessary.

Control of financial and economic resources

The Ministry of Finance, along with the Central Bank of Belize, monitors Belize's financial and economic activity. Records indicate that no financial or economic activity exists between Belize and Iraq or Kuwait. These authorities are fully aware of Security Council resolution 661 (1990).



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SECURITY COUNCIL COMMITTEE ESTABLISHED
BY RESOLUTION 661 (1990) CONCERNING
THE SITUATION BETWEEN IRAQ AND KUWAIT

LETTER DATED 13 JANUARY 1991 FROM THE PERMANENT REPRESENTATIVE
OF SAUDI ARABIA TO THE UNITED NATIONS ADDRESSED TO THE
SECRETARY-GENERAL

It pleases me to refer to your note number SCPC/7/90(3-2) concerning your request to complete the questionnaire according to the request of the Security Council Committee which was established by Security Council resolution 661 (1990). Attached herewith is the response of the Government of the Kingdom of Saudi Arabia for the above-mentioned questionnaire. I will be grateful if you could transmit this information to the Committee established to study the reports relevant to the implementation of the above-mentioned report.

(Signed) Samir S. SHIHABI
Ambassador
Permanent Representative

Annex

FURTHER INFORMATION REQUIRED BY THE SECURITY COUNCIL COMMITTEE ESTABLISHED
BY RESOLUTION 661 (1990) SO AS TO ACHIEVE A FULL PICTURE OF THE NATIONAL
IMPLEMENTATION OF RESOLUTION 661 (1990)

1. Legislative framework

- (a) What is the legislative basis on which your country has undertaken measures to implement Security Council resolution 661 (1990)?

Answer: The measures undertaken by Saudi Arabia to implement Security Council resolution 661 (1990) were based on Council of Ministers decision No. 24 of 29 Muharram A.H. 1411.

- (b) Has there been any specific legislation enacted pursuant to Security Council resolution 661 (1990)?

Answer: The above-mentioned decision of the Council of Ministers is an internal legislation which defines in detail the measures it has decided to adopt in order to implement the Security Council resolution. Those measures are as follows:

1. The importation is forbidden of any commodity and products of Iraqi or Kuwaiti origin if such goods and products have been exported from Iraq or Kuwait since Security Council resolution 661 (1990) was issued on 15 Muharram A.H. 1411.

2. It is prohibited to export any goods or products of Saudi origin, or to re-export any goods or products to Iraq or Kuwait. No certificates of origin shall be authenticated with regard to any activities pertaining to export to Iraq or Kuwait.

3. Vehicles carrying any goods or products from Iraq or Kuwait are forbidden to cross Saudi territory (transit) or to cross Saudi territory in the direction of Iraq or Kuwait, irrespective of whether the nationality of such vehicles is Iraqi, Kuwaiti or any other nationality.

4. All banks and exchange dealers working in Saudi Arabia are prohibited from effecting any transactions aimed at following up or facilitating any activity prohibited by the above-mentioned Security Council resolution, whether direct or indirect, including any payments, whether by letters of credit, transfers, deposits or withdrawals in respect of the following:

(a) The import of any commodities or products of Iraqi or Kuwaiti origin or products re-exported from Iraq or Kuwait.

(b) Any other activities which promote or are calculated to promote the export or transit of any commodities or products from Iraq or Kuwait, whether such activities occur inside or outside Iraq or Kuwait.

(c) The transfer of funds to Iraq or Kuwait for such activities and transactions, and payments to any person or body within Iraq or Kuwait.

5. Saudi ports shall refrain from providing any maritime services to ships flying the Iraqi flag or to ships loaded with any commodities or products proceeding from or to Iraqi or Kuwaiti ports, whatever their nationality.

6. The Treaty of Economic and Commercial Cooperation between Saudi Arabia and Iraq, signed on 11 Rabi' II A.H. 1404, shall cease to be effective, and all facilities and exemptions contained in that Treaty shall be suspended, whether with respect to commodities, persons or any other facilities.

7. The Saudi Fund for Development shall cease to make any payments arising from any treaty it may have concluded on behalf of Saudi Arabia with the Iraqi Government.

(c) What types of administrative orders, decrees, etc., has your country passed pursuant to the relevant laws?

Answer: In implementation of the above-mentioned Council of Ministers decision, the following ministerial and administrative decisions have been issued:

1. Two decisions by His Excellency the Minister of Finance and National Economy transmitted to His Excellency the Director-General of the Customs Authority by telegram No. 27/sin/194 of 7 Safar A.H. 1411, and telegram No. 3/sin/201 of 7 Safar A.H. 1411 for the implementation of the Council of Ministers decision and the monitoring of export and re-export movements.

2. Letter No. 27/927 of 8 Safar A.H. 1411 from His Excellency the Minister of Finance and National Economy addressed to His Excellency the Vice-President and delegated member of the Saudi Fund for Development for the application of the Council of Ministers decision and the making of the necessary arrangements to stop any payments arising from any agreements previously concluded by the Fund with the Iraqi Government.

3. A letter transmitted by telegram No. 3/908 of 6 Safar A.H. 1411 from His Excellency the Minister of Finance and National Economy to His Excellency the Governor of Saudi Arabian Monetary Agency for the necessary arrangements to implement the Council of Ministers decision by informing banks, financial institutions and exchange dealers working in Saudi Arabia, as well as branches outside Saudi Arabia, of the contents of the Council of Ministers decision and the need to adhere to it.

4. Circular No. mim/alif/49 of 6 Safar A.H. 1411 from the Saudi Arabian Monetary Agency addressed to all banks working in Saudi Arabia prohibiting the transfer of funds, the granting of letters of credit or withdrawals on such letters, and prohibiting the effecting of any transfers, the issuance of letters of guarantee, the offer of credit or any other form of facilities in favour of any person, body or commercial or industrial enterprise in Iraq or Kuwait or to the Iraqi Government.

/...

5. Circular No. 22/9/3/he/sin of 8 Safar A.H. 1411 from His Excellency the Director-General of the Customs Authority to all customs posts concerning the application of the measures contained in the Council of Ministers decision and the implementation of the above-mentioned Security Council resolution.

Similarly, the following measures have been taken by the Ministry of Defence and Aviation:

1. The refusal to allow any Iraqi vessel, whether tanker or cargo ship, to enter Saudi ports.

2. Increased surveillance of Saudi territorial and economic waters and monitoring of international waters near the Saudi coastline to prevent Iraqi naval ships from approaching and laying mines in such waters.

3. The provision of facilities to the ships of the multinational forces for the use of Saudi ports and territorial waters.

4. Keeping track of the general situation with regard to the location of Iraqi commercial vessels and monitoring their movements in coordination with the American Navy in this regard.

5. The closing of the Saudi land borders with Iraq and the halting of Iraqi commercial and individual traffic into Saudi Arabia.

6. The closing of Saudi airspace to Iraqi aircraft.

7. The closing of the Iraqi oil pipeline to the Red Sea.

2. Control of imports or activities which would promote or are calculated to promote imports or transshipment of goods from Iraq and Kuwait

(a) Which authorities in your country are responsible for implementing the control of imports or activities as required by Security Council resolution 661 (1990)?

Answer: The authority responsible for implementing the control of imports is the Customs Authority. Furthermore, the borders are closed between Saudi Arabia and both Iraq and Kuwait.

(b) What specific measures has your country established to prevent breaches of Security Council resolution 661 (1990) by imports of items or activities covered by it?

Answer: The closing of the borders between Saudi Arabia and both Iraq and Kuwait and the prevention of vehicles from crossing Saudi Arabia either to or from those two countries (transit) has led automatically to the complete halting of imports from Iraq or Kuwait. This was the intent of recommendation No. 1 contained in the report adopted by Council of Ministers decision No. 24 of 29 Muharram A.H. 1411, which provided for "prevention of the import of any commodities or products of Iraqi or Kuwaiti origin", as well as recommendation No. 2 contained in the same

report, which provided for "the prevention of vehicles carrying any commodities or products from Iraq or Kuwait from crossing Saudi territory (transit) or proceeding towards Iraq across Saudi territory, whether the nationality of such vehicles is Iraqi, Kuwaiti or any other nationality.

3. Control of exports or activities which would promote or are calculated to promote sales or supply of products and commodities to Iraq and Kuwait

- (a) Which authorities in your country are responsible for implementing the control of exports or activities as required by Security Council resolution 661 (1990)?

Answer: The authority responsible for the control of exports is the Ministry of Commerce, which issues certificates of origin, and the Customs Authority, which monitors and authorizes exports, and which may halt them.

- (b) What specific measures has your country established to prevent breaches of Security Council resolution 661 (1990) by exports of items or activities covered by it?

Answer: The Ministry of Commerce has ceased issuing certificates of origin for any Saudi commodities destined for either Iraq or Kuwait, as stipulated by recommendation No. 2 contained in the report adopted by the above-mentioned Council of Ministers decision, which provided for "the prohibition of the export of any commodities or products of Saudi origin or the re-export of any commodities or products to Iraq or Kuwait, and the non-authentication of certificates of origin in respect of any activities regarding exports to Iraq or Kuwait".

4. Control of financial or economic resources

- (a) What system of control exists in your country to prevent transfers of financial or economic resources covered by Security Council resolution 661 (1990)?

Answer: The Saudi Arabian Monetary Agency (the Central Bank) has control to prevent the transfer of any funds by means of its authority over the banks through the banking supervision system. In other words, it is authorized to issue orders to the banks to that effect.

- (b) What specific measures has your country taken so as to prevent unauthorized movements of funds in contravention of Security Council resolution 661 (1990)?

Answer: There are no unauthorized movements. All movements are effected through the banks, which are committed to implementing the resolution. The Saudi Arabian Monetary Agency monitors their adherence thereto.

5. Enforcement

What types of enforcement (penalties, seizures, forfeitures, etc.) does your country apply so as to prevent breaches of Security Council resolution 661 (1990) by individuals and companies in your country?

- (a) What problems has your country confronted in ensuring full national implementation of Security Council resolution 661 (1990)?

Answer: There have been no problems in implementing the above-mentioned Council of Ministers decision regarding the application of the Security Council resolution.

- (b) What legislative or other measures has your country taken so as to implement Security Council resolution 661 (1990) with regard to contracts entered into or licences granted before the date of the resolution?

Answer: All activities, contracts and licences signed have been frozen, including the suspension of the Treaty of Economic and Commercial Cooperation concluded between the Saudi Government and Iraq and signed on 11 Rabi' II A.H. 1404 and the suspension of all facilities and exemptions contained therein, in accordance with the report adopted by Council of Ministers decision No. 24 of 29 Muharram A.H. 1411.

- (c) What specific measures has your country taken to protect the assets of the legitimate Government of Kuwait and its agencies in accordance with paragraph 9 (a) of Security Council resolution 661 (1990)?

Answer: As is known, the legitimate Government of Kuwait is currently carrying on its activities on Saudi territory. Consequently, all its assets and agencies are protected and those agencies are carrying on their activities under the direct supervision of the legitimate Government of Kuwait.
